

## DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: TOUCHLESS OPTO-ELECTRONIC SENSOR the specification of which \_\_\_\_\_ is attached hereto or \_\_\_\_\_ was filed on February 23, 2004 as Application No. 10/785,385 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
Germany	103 07 965.3	February 24, 2003	Yes

Full Name of Inventor 1:	Last Name: <b>HIRT</b>	First Name: <b>GUENTER</b>	Middle Name or Initial:
Residence & Citizenship:	City: <b>Steinach</b>	State/Foreign Country: <b>Germany</b>	Country of Citizenship: <b>Germany</b>
Post Office Address:	Post Office Address: <b>Nikolaus-Schwendemann-Strasse 9</b>	City: <b>Steinach</b>	State/Country: <b>Germany</b> Postal Code: <b>77790</b>
Full Name of Inventor 2:	Last Name: <b>OPFOLTER</b>	First Name: <b>MATTHIAS</b>	Middle Name or Initial:
Residence & Citizenship:	City: <b>Erbach</b>	State/Foreign Country: <b>Germany</b>	Country of Citizenship: <b>Germany</b>
Post Office Address:	Post Office Address: <b>Schwabstrasse 6</b>	City: <b>Erbach</b>	State/Country: <b>Germany</b> Postal Code: <b>89155</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Guenter Hirt Date <u>12.2.03</u>	Signature of Inventor 2  Matthias Opfolter Date
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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/785,385
Filing Date	February 23, 2004
First Named Inventor	Hirt, Guenter
Title	TOUCHLESS OPTOELECTRONIC SENSOR
Art Unit	
Examiner Name	
Attorney Docket Number	15283A-003000US

I hereby appoint:

Practitioners associated with the Customer Number

**20350**

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:

OR

The address associated with Customer Number:

--

OR

Firm or Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

**SIGNATURE of Applicant or Assignee of Record**

Name Dr. Robert Bauer ppa. Dr. Christoph Ludewigt

Signature

*Bauer*

*Ludewigt*

Date

*Feb. 13, 2004*

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.



JUL 02 2004

PTO/SB/96 (08-03)

Attorney Docket No. 15283A-003000US

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Guenter Hirt, et. al.

Application No./Patent No.: 10/785,385 Filed/Issue Date: February 23, 2004Entitled: TOUCHLESS OPTOELECTRONIC SENSOR

Sick AG, a German Corporation

(Name of Assignee)  
etc.) (Type of Assignee, e.g., corporation, partnership, university, government agency,

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.**OR**B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Feb. 13, 2004

Date

Dr. Robert Bauer ppa. Dr. Christoph Ludewig

Typed or printed name

Telephone number

Signature

Member of Executive Board / Manager IP Department

Title

**ASSIGNMENT OF PATENT APPLICATION**

**JOINT**

WHEREAS, Guenter Hirt of Nikolaus-Schwendemann-Strasse 9, D-77790 Steinach, Germany and Matthias Opfolter of Schwabstrasse 6, D-89155 Erbach, Germany, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **TOUCHLESS OPTO-ELECTRONIC SENSOR**

Date(s) of execution of Declaration: \_\_\_\_\_

Filing Date: **February 23, 2004**

Application No.: **10/785,385**; and

WHEREAS, Sick AG, a corporation of Germany, located at Sebastian-Kneipp-Strasse 1, D-79183 Waldkirch, GERMANY, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

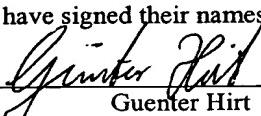
For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 12.20.04

  
Guenter Hirt

Dated: 12.02.04

  
Matthias Opfolter